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Paper No. None

James H. Morris
Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston MA 02210

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FEB 25 2005

OFFICE OF PETITIONS

In re Application of	:	
Marty Pierre, Rey Gaelle, and Pascal	:	
Chauvet	:	
Application No. 10/700,361	:	DECISION ON RENEWED
Filed: November 3, 2003	:	PETITION
Attorney Docket No. S1022.80985US01	:	
Title: DRAM CONTROL CIRCUIT	:	

This is in response to the renewed petition under 37 C.F.R. §1.47(a)¹, filed February 10, 2005.

On November 3, 2003, the application was deposited, identifying Marty Pierre, Rey Gaelle, and Pascal Chauvet as joint inventors. The application was deposited without an oath or declaration. On February 12, 2004, the Office mailed a Notice to File Missing Parts of Nonprovisional Application (Notice), requiring an executed oath or declaration along with the surcharge associated with the late filing of an oath or declaration, and the basic filing fee. The notice set a two-month period for response. On June 28, 2004, a notice was mailed which withdrew this notice.

¹A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
 - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
 - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

On June 23, 2004, Petitioner submitted a copy of the declaration², the original petition, a declaration of facts, the petition fee, the associated surcharge, the last known address of the non-signing inventor, and a copy of the assignment along with a translation, along with a two-month extension of time.

The original petition was dismissed via the mailing of a decision on August 11, 2004, for failure to establish that a search done for the non-signing inventor, and for failure to submit an acceptable declaration. Petitioner has since completed a search and has submitted an acceptable declaration with the instant petition. In order to make timely this response, Petitioner has submitted a four-month extension of time.

Petitioner has met each of the 5 requirements above.

The petition is **GRANTED** and this application is hereby accorded Rule §1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 2100 for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

² The declaration submitted with the original petition was that which was associated with the grandparent of the instant application, 10/111,506, which was executed by each of the joint inventors save joint inventor Rey.



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P.O. Box 1450
ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV

Rey Gaelle
49, rue de Vercors
38000 Grenoble
FRANCE

COPY MAILED

FEB 25 2005

OFFICE OF PETITIONS

In re Application of :
Marty Pierre, Rey Gaelle, and Pascal Chauvet :
Application No. 10/700,361 :
Filed: November 3, 2003 : LETTER
Attorney Docket No. S1022.80985US01 :
Title: DRAM CONTROL CIRCUIT :

Dear Ms. Gaelle:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application.

Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, the attorney of record below would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3225. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Paul Shanoski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

cc: James H. Morris
Wolf, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston MA 02210